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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

FILED
08 APR -3 AM 9:49
CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY: DEPUTY

UNITED STATES OF AMERICA,	)	Magistrate Case No. '08 MJ 1021
Plaintiff,	)	
	)	COMPLAINT FOR VIOLATION OF:
v.	)	
	)	Title 8 U.S.C., Sec. 1324 (a)(1)(A)(ii)
Aldo Santiago CERDA,	)	Transportation of Illegal
	)	Aliens
	)	
Defendant(s)	)	

The undersigned complainant, being duly sworn, states:

On or about **April 2, 2008,** within the Southern District of California, defendant **Aldo Santiago CERDA-Duarte** with the intent to violate the immigration laws of the United States, knowing and in reckless disregard of the fact that aliens, namely, **Elias DELGADO-Escobar, Apolonia CARREON-Hoyos,** and **Guadalupe ORTIZ-Gonzalez** had come to, entered and remained in the United States in violation of law, did transport and move, said aliens within the United States in furtherance of such violation of law; in violation of Title 8, United States Code, Section 1324(a)(1)(A)(ii).

And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

SIGNATURE OF COMPLAINANT
James Trombley
Senior Patrol Agent

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS **3rd** DAY OF **APRIL 2008**

Anthony J. Battaglia
UNITED STATES MAGISTRATE JUDGE

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CONTINUATION OF COMPLAINT:
Aldo Santiago CERDA

PROBABLE CAUSE STATEMENT

Furthermore, the complainant states that **Elias DELGADO-Escobar, Apolonia CARREON-Hoyos,** and **Guadalupe ORTIZ-Gonzalez** are citizens of a country other than the United States; that said aliens have admitted that they are deportable; that their testimony is material, that it is impracticable to secure their attendance at the trial by subpoena; and they are material witnesses in relation to this criminal charge and should be held or admitted to bail pursuant to Title 18, United States Code, Section 3144.

On April 2, 2008 Border Patrol Agent M. Salzano was assigned to traffic check operations at the U.S. Border Patrol Checkpoint located on westbound Interstate 8 near Pine Valley, California. The checkpoint was fully operational. At approximately 9:30 AM Agent Salzano was conducting pre-primary inspection with his Agency canine partner BARTEL, when a tan GMC pickup truck approached with two visible occupants. Agent Salzano observed that K-9 BARTEL was alerting to the rear of the GMC pickup truck so he instructed Border Patrol Agent G. Kizinkiewicz who was in the Primary Inspection position, to refer the vehicle to Secondary for further inspection. The driver later identified as defendant **Aldo Santiago CERDA,** complied.

While in Secondary inspection, K-9 BARTEL again alerted to the rear of the vehicle. Agent Salzano identified himself as a Border Patrol Agent and informed the defendant that his agency canine had alerted to the rear of the vehicle, and he requested that he and the front seat passenger exit the vehicle. K-9 BARTEL entered the vehicle, jumped to the rear seat and indicated again. Agent Salzano lifted up a dark colored blanket and observed two female individuals and a male individual concealed beneath. Agent Salzano identified himself as a Border Patrol Agent and ordered the three subjects to exit the vehicle. Agent Salzano questioned the three subjects found hiding and determined all three to be citizens of Mexico in the United States illegally. Border Patrol Agent F. Santos questioned the front seat passenger and determined that he was also a citizen of Mexico in the United States illegally. The defendant stated to Agents that he was a United States citizen. At 9:35 a.m., the defendant and the four smuggled aliens were arrested and escorted inside the checkpoint facilities for processing.

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CONTINUATION OF COMPLAINT:
Aldo Santiago CERDA

DEFENDANT STATEMENT:

The defendant was advised of his Miranda rights. The defendant stated that he understood his rights and was willing to answer questions without an attorney present. The defendant admitted that he is a citizen of the United States born in San Diego, California. The defendant stated that he was approached by two guys and offered a job picking up people. The two men told him that they were illegal aliens. He was given instructions to obtain the tan GMC pickup at Golden Acorn Casino and then pick up the aliens and take them to National City, California. He said he was to be paid $100.00 USD per each smuggled alien.

MATERIAL WITNESSES STATEMENTS:

Material witnesses **Elias DELGADO-Escobar, Apolonia CARREON-Hoyos,** and **Guadalupe ORTIZ-Gonzalez** agree that they are citizens and nationals of Mexico illegally present in the United States. They admit to entering the United States illegally with the help of a foot-guide. The material witnesses stated that they were to pay $2,800.00 to $3,500.00 (US) to be smuggled into the United States.